

IN THE UNITED STATES BANKRUPTCY COURT FOR  
THE DISTRICT OF PUERTO RICO

IN THE MATTER OF:

**HUMBERTO MORALES SANTIAGO  
ANA MANUELA JIMENEZ SANCHEZ**

Debtors

CASE NO. **08-02881-MCF**

CHAPTER **13**

**MOTION TO WITHDRAW AMENDED PLAN DATED 12/17/2010 (Docket #73)  
AND SUBMITTING A NEW POST-CONFIRMATION MODIFICATION OF PLAN**

TO THE HONORABLE COURT:

**NOW COME** debtors through the undersigned counsel and respectfully allege and pray:

1. After reviewing the plan dated 12/17/2010 (*docket #73*) debtors became aware that there are mathematical errors.
2. Debtors are filing a Post Confirmation Amended Plan to increase the base of the plan from \$123,480.00 to \$124,280.00.

**WHEREFORE**, debtors pray this Honorable Court to grant this motion and admit the proposed amended plan.

***CERTIFICATE OF ELECTRONIC FILING AND SERVICE***

*I hereby certify that on this date copy of this motion has been electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to **ALEJANDRO OLIVERAS RIVERA**, Chapter 13 Trustee, and also certify that I have mailed by United States Postal Service copy of this motion to the non CM/ECF participants.*

***NOTICE***

*Parties in interest are notified they have **twenty (20) days** to reject a proposed modification of a plan and request a hearing. Absent good cause, untimely rejections shall be denied.*

**RESPECTFULLY SUBMITTED.**

In Guayama, Puerto Rico, this 21<sup>th</sup> day of December, 2010.

**/s/MANUEL E. FUSTER MARTINEZ**  
**ATTORNEY FOR DEBTOR**  
PO BOX 1464  
GUAYAMA, P.R. 00785  
PHONE: (787) 864-3015  
FAX: (787) 866-1827  
E-MAIL: fuster\_law\_office@yahoo.com  
USDC-PR 200513

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF PUERTO RICO**

IN RE:

*Humberto Morales Santiago  
Ana Manuela Jiménez Sánchez*  
DEBTOR(S)

SK CASE # 08-2881-MCF

CHAPTER 13

*Amended* **CHAPTER 13 PAYMENT PLAN**

- The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
- The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: 12/21/2010

☐ PRE ☒ POST-CONFIRMATION

☒ AMENDED PLAN DATED: 12/21/2010

FILED BY ☒ DEBTOR ☐ TRUSTEE ☐ OTHER

**I. PAYMENT PLAN SCHEDULE**

\$ 1,200.00	x	12	=	\$ 14,400.00
\$ 1,275.00	x	4	=	\$ 5,100.00
\$ 1,575.00	x	7	=	\$ 11,025.00
\$ 0.00	x	1	=	\$ 0.00
\$ 1,475.00	x	1	=	\$ 1,475.00
\$ 1,000.00	x	1	=	\$ 1,000.00
\$ 1,690.00	x	22	=	\$ 37,180.00
\$ 2,100.00	x	12	=	\$ 25,200.00
\$	x		=	\$
\$	x		=	\$

Additional Payments: TOTAL = \$ 93,980.00

\$ 30,300.00 to be paid as a LUMP SUM within 24 months\* with proceeds to come from

☐ Sale of property identified as follows:

☒ Other: *Refinance of property located at Urb. Anaída, Calle Marginal E-13, Ponce, Puerto Rico*

\* From confirmation of this amended plan Periodic Payments to be made other than, and in addition to the above.

\$ \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

PROPOSED BASE: \$ 124,280.00

**III. ATTORNEY'S FEES**

(Treated as § 507 Priorities)

a. Outstanding balance as per Rule 2018(b) Fee

Disclosure Statement: \$ 2,000.00

b. Additional Fees: \$ -0-

c. Adjusted Balance \$ 2,000.00

**II DISBURSEMENT SCHEDULE**

A. ADEQUATE PROTECTION PAYMENTS CR \_\_\_\_\_ \$ \_\_\_\_\_

B. SECURED CLAIMS.

☐ Debtor represents no secured claims.

☒ Creditors having secured claims will retain their liens and shall be paid as follows:

1. ☒ Trustee pays secured APPEARS:

Cr. <i>B.B.V.A.</i>	Cr. <i>Daimler Chrysler</i>	Cr. _____
\$ 14	\$ 12	\$ _____
\$ 1,172.98	\$ 848.41	\$ _____

2. ☐ Trustee pays IN FULL Secured Claims

Cr. _____	Cr. _____	Cr. _____
\$ _____	\$ _____	\$ _____

3. ☐ Trustee pays VALUE OF COLLATERAL

Cr. _____	Cr. _____	Cr. _____
\$ _____	\$ _____	\$ _____
\$ _____	\$ _____	\$ _____

4. ☒ Debtor SURRENDERS COLLATERAL to Lien Holder:

*Shares to Generecoop*

5. ☐ OTHER: \_\_\_\_\_

6. ☒ Debtor Otherwise maintains regular payments directly to:

*BBVA and Daimler Chrysler*

C. PRIORITIES. The Trustee shall pay priorities in accordance with the law. (11 U.S.C. § 507 and § 1322 (a)(2))

D. UNSECURED CLAIMS. Plan ☐ Classifies ☒ Does not Classify Claim.

1. (a) Class A: ☐ Co-debtor Claims / ☐ Other:

☐ Paid 100% / ☐ Other.

Cr. _____	Cr. _____	Cr. _____
\$ _____	\$ _____	\$ _____

(b) ☐ Other: \_\_\_\_\_

2. Unsecured Claims otherwise receive PRO-RATA disbursements

OTHER PROVISIONS: *(Executory contracts; payment of interest to unsecured, etc.)*

Signed:

*Manuel E. Fuster Martinez*  
Attorney for DEBTOR

JOINT DEBTOR